

PATENT
Serial No. 09/900,561
Amendment in Reply to Final Office Action of June 1, 2005

REMARKS

Reconsideration of the present Application and entry of the present Amendment are respectfully requested.

By means of the present Amendment, the Specification has been amended for conformance with the FIG 1.

In the Final Office Action, claims 1, 3-5 and 7 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,956,521 (Wang). Further, claim 10 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,856,978 (Anthias). In addition, claims 2, 6 and 12-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wang in view of U.S. Patent No. 5,856,978 (Anthias). Further, claims 8 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wang in view of U.S. Patent No. 6,631,400 (DiStefano).

Applicant respectfully traverses these rejections. In addition, independent claims 1, 5 and 10 have been amended for better clarity and to place them in better form for appeal. No new issues requiring a further search have been introduced, and thus entry of the present amendment is respectfully requested. Independent claims 1, 5 and 10 were not amended in order to address issues of patentability and Applicant respectfully reserves all rights he may have under the Doctrine of Equivalents. It is

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respectfully submitted that claims 1-8 and 10-13 are patentable over Wang, Anthias and DiStefano for at least the following reasons.

Wang is directed to a system for facilitating email exchange. As shown in FIG 2 and recited on column 4, lines 19-26, a main server 20 communicates e-mails between the Internet network and client email devices 26, through regional 22 and local 24 servers. In particular, as recited on column 4, lines 33-42:

[t]he main server 20 receives an e-mail message, ... and sends it to the corresponding regional server 22 ... [which] forwards the message to the locale server ... [that] directly serves the clients and their email devices. (Emphasis added)

The above recited section of Wang clearly shows that Wang is concerned with a single or a particular email message, being routed from the Internet network to client email devices 26, through regional 22 and local 24 servers. Accordingly (as noted from the above recitation on column 4, lines 33-42, which is repeated below in a redacted form for clarity), for an e-mail message intended for multiple recipients, it appears that the Wang system will send the same email from:

[t]he main server 20 ... to the corresponding regional server 22 ... [which] forwards the message to the locale server ... [that] directly serves the clients and their email devices. (Emphasis added)

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Clearly as seen from the above recitation of Wang and shown in FIG 3, there is great bandwidth congestion when the same email message is broadcast from the main server 20 downstream to regional servers 22 that, in turn broadcast to local servers 24 that, in turn broadcast to clients email devices.

The Wang system suffers from the same inefficient use of bandwidth described in the background section of the present application where, in the cases of a single email intended for multiple recipients, then this same email is sent from the Internet network to client email devices 26, through a main server 20, regional 22 and local 24 servers, thus consuming valuable bandwidth and causing congestion. That is, Wang discloses the "type of email distribution [that] uses a lot of bandwidth as the e-mails travel from one central e-mail server all through the network to the target addresses" as recited on page 1, last 2 lines of paragraph [002] of the present application. (Emphasis added)

There is no teaching or disclosure in Wang of an edge server that receives, along with a particular content such as a single email for example, addressees of the multiple intended recipients of this single email, where it is the edge server itself that sends individual copies of the very same content, e.g., this single

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email, to all the addressees of the intended recipients. As recited on page 2, paragraph [006] of the present application, the present invention provides substantial benefits, such as using less bandwidth and thus reducing bandwidth requirements:

as the electronic content is sent to a relatively small number of edge servers, from which a relatively large number of copies are sent to the relevant addressees. That is, the stage at which the copies are made is postponed until the edge server has been reached.
(Emphasis added)

It is respectfully submitted that Wang does not teach or suggest:

sending to the identified respective edge servers one copy of the electronic content to the identified respective edge servers and said respective groups of addressees associated with the identified respective edge servers; and
enabling the identified respective edge servers to send individual copies of the electronic content to individual ones of the addressees in the identified edge server's respective group of addressees,

as recited in independent claims 1 and 5, and similarly recited in independent claim 10. Wang does not even teach or suggest sending addresses of intended recipients to edge servers, let alone edge servers that send copies of the content to those intended recipients. Anthias and DiStefano are cited in rejecting other features recited in dependent claims, and do not remedy the

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deficiencies of Wang. Anthias and DiStefano do not even teach or suggest edge servers, let alone the rest of the above noted features recited in independent claims 1, 5 and 10 that are nowhere present in Wang.

Accordingly, it is respectfully submitted that independent claims 1, 5 and 10 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4, 6-8 and 11-13 should also be allowed at least based on their dependence from independent claims 1 and 5, as well as for the separately patentable elements contained in each of the dependent claims.

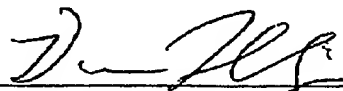
In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

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It is believed that no additional fees or charges are currently due (beyond the two month extension of time fee to be charged to the credit card as noted by the enclosed authorization). However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to applicant's representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

Respectfully submitted,

By 
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Enclosure: Petition for two month extension of time
Authorization to charge credit card \$450 for two month
extension

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